

Tenth count: (Detailed Incident 4258/02 Yarkon)

Nature of the offense: Causing intentional death, an offense under Sections 51(A) and 7(C) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970 and Sections 14 and 2 of the Rules of Liability for an Offense Order (Judea and Samaria) (No. 225), 5728-1968.

Details of the offense: The above mentioned Defendant, in and outside of the Area, on March 5, 2002 or thereabouts, was an accomplice in causing the intentional death of others.

In other words, by his acts described in the previous count of the indictment, **the late Yosef Habi**, who was stabbed by Ibrahim Hasouna in the chest and other parts of his body, died.

Eleventh count: (Detailed Incident 4258/02 Yarkon)

Nature of the offense: Causing intentional death, an offense under Sections 51(A) and 7(C) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970 and Sections 14 and 2 of the Rules of Liability for an Offense Order (Judea and Samaria) (No. 225), 5728-1968.

Details of the offense: The above mentioned Defendant, in and outside of the Area, on March 5, 2002 or thereabouts, was an accomplice in causing the intentional death of others.

In other words, by his acts described in the previous count of the indictment, **the late Eliyahu Dahan**, who was stabbed by Ibrahim Hasouna in the chest and other parts of his body, died.

Twelfth count: (Detailed Incident 4258/02 Yarkon)

Nature of the offense: Attempt to cause intentional death, an offense pursuant to Sections 51(A) and 7(C) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970, and Sections 19-20, 14 and 2 of the Rules of Liability for an Offense Order (Judea and Samaria) (No. 225), 5728-1968.

Details of the offense: The above mentioned Defendant, in and outside of the Area, on March 5, 2002 or thereabouts, was an accomplice in attempting to cause the intentional death of others.

In other words, the above mentioned Defendant, by his acts described in the previous count of the indictment, attempted to cause the death of as many civilians as possible.

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As a result of the rounds that were fired by Ibrahim Hasouna, dozens of Israeli civilians were slightly to severely injured.

Thirteenth count:

Nature of the offense: Possession of war materiel, an offense pursuant to Section 53(A)(1) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970.

Details of the offense: The aforesaid Defendant, in the Area, during March 2002 or thereabouts, possessed a firearm, ammunition, hand grenade, tool, object or thing designed or capable of causing death

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or severe injury, without a permit certificate issued by or for a military commander;

In other words, the above mentioned Defendant, at the above mentioned time, received from the coordinator of naval security in Nablus, Azam Balidi, 6 magazines for a Kalashnikov rifle, 30 detonators for explosive devices, 2 kg of gunpowder and a grenade launcher.

The Defendant received that which has been set forth above at a frequency of three times a month.

Fourteenth count:

Nature of the offense: Attempt to cause intentional death, an offense pursuant to Section 51(A) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970, and Sections 19-20, 14 of the Rules of Liability for an Offense Order (Judea and Samaria) (No. 225), 5728-1968.

Details of the offense: The above mentioned Defendant, in the Area, during April 2002 or thereabouts, attempted with others to cause the intentional death of others, as follows:

1. At the above mentioned time, the Defendant along with Al Aqsa Martyrs Brigades operatives, Kamal Hatib, Mahmoud A-Titi, Iad Hamdan, Ahmed Sawalma and Mohamed A-Titi, fired at IDF forces when they entered the Balata Camp.
2. The Defendant and his above mentioned colleagues, who anticipated the entry of IDF forces into the camp, placed many explosive devices at the entrance to the camp. When IDF forces entered, the Defendant and his fellow cell members detonated the explosive devices against the military forces and fired at them using weapons.
3. The Defendant and his fellow cell members acted as set forth for eight days.
4. After the army departed from the camp. The Defendant and his fellow squad members started to prepare a large number of explosive devices, to use them against the military forces if they reentered the camp.

Fifteenth count: (Detailed Incident 4685/02, Petach Tikva Station)

Nature of the offense: Causing intentional death, an offense under Sections 51(A) and 7(C) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970 and Sections 2 and 14 of the Rules of Liability for an Offense Order (Judea and Samaria) (No. 225), 5728-1968.

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Details of the offense: The above mentioned Defendant, in and outside of the Area, On May 27, 2002, with others, caused the intentional death of another person, as follows:

1. The above mentioned Defendant, at about the time set forth above, was contacted by Jihad Ibrahim A-Titi (hereinafter – **Jihad**) and asked him to prepare him to carry out a suicide attack in Petach Tikva. Jihad told the Defendant that he had worked at the shopping mall in Petach Tikva, and was very familiar with the site.
2. The Defendant told Abu Ramush and Nihad Sabah that Jihad wanted to carry out a suicide attack in revenge for the death of Mahmoud A-Titi.

[Stamp] P 5: 228 [continued]

3. The day before the execution of the attack, with Nihad Sabah, the Defendant brought Jihad to his home in the Balata camp, where they filmed him that a video camera while he was holding an M-16 type rifle.
4. After the Defendant finished filming Jihad, he asked Wadah Ali Amin Bazra (hereinafter – **Wadah**) to drive him and Jihad to Rafidia. When they arrived at the site, the Defendant called [unidentified abbreviation] and informed him that he had arrived at the café.

Wadah called Nihad Subah and Diaa Altakrouri and checked with them whether they had transferred an explosive belt to Raed Alashkar (hereinafter – **Raed**).

About five minutes later, Raed arrived, carrying a black package, which contained an explosive belt for carrying out the attack. Raed transferred the package to the Defendant. The Defendant transferred the package to Wadah, and asked Raed to join the taxi in which Jihad was traveling. The Defendant asked Jihad [sic] to drive behind the taxi in which Jihad was traveling.

5. Wadah drove after the taxi in which Jihad was traveling, and when they reached the town Azoun Alatma, at about 1:30 p.m., Wadah transferred the package to Jihad and Raed. Wadah called the Defendant and updated him that he had transferred the package as set forth. Thereafter, Wadah returned to Nablus.
6. After Jihad arrived with Raed in Kfar Kassem and boarded the taxi, Raed called the Defendant and informed him that Jihad had boarded the taxi en route to carrying out the attack.
7. At about 6:30 p.m., the above mentioned Jihad arrived at the Em Hamoshavot Shopping Mall in Petach Tikva, as mentioned, near the place at which he had worked previously, while wearing an explosive belt. Jihad approached a crowded place near a patisserie at 1 Rishon le Zion Street and detonated the explosive belt that he was wearing, with the intent of causing the death of other persons.
8. As a result of the execution of the attack, **the late Ruth Peled** died.

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Sixteenth count: (Detailed Incident 4685/02, Petach Tikva Station)

Nature of the offense: Causing intentional death, an offense under Sections 51(A) and 7(C) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970 and Sections 2 and 14 of the Rules of Liability for an Offense Order (Judea and Samaria) (No. 225), 5728-1968.

Details of the offense: The above mentioned Defendant, in and outside of the Area, on May 27, 2002, with others, caused the intentional death of another person;

In other words, as a result of the suicide attack described in the previous account of the indictment that was carried out by Jihad, the **late infant Sinai Keinan** died.

[Stamp] P 5: 229 [continued]

Seventeenth count: (Detailed Incident 4685/02, Petach Tikva Station)

Nature of the offense: Attempting to cause intentional death, an offense under Sections 51(A) and 7(C) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970 and Sections 19-20, 2 and 14 of the Rules of Liability for an Offense Order (Judea and Samaria) (No. 225), 5728-1968.

Details of the offense: The above mentioned Defendant, in and outside of the Area, on May 27, 2002, attempted with others to cause the intentional death of others;

In other words, in the circumstances described in the previous count of the indictment, the Defendant attempted to cause the death of others. As a result of the execution of the attack by Jihad as set forth above, dozens of civilians were injured to varying degrees of severity.

Eighteenth count:

Nature of the offense: Conspiring to cause intentional death, an offense pursuant to Section 22 of the Rules of Liability for an Offense Order (Judea and Samaria) (No. 225), 5728-1968 and Section 51(A) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970.

Details of the offense: The above mentioned Defendant, in the Area, at the time set forth above, met Abu Ramush, who told him that he was planning to carry out a suicide attack in the Israeli settlement Shavei Shomron, for which purpose he was planning to send "Muhannad Abu Zir" to carry out the attack.

The Defendant expressed his consent to the plan of Abu Ramush.

The Defendant provided Abu Ramush three Magazines for a Kalashnikov type rifle, in order for him to use them in the commission of the attack.

Nineteenth count:

Nature of the offense: Attempt to cause intentional death, an offense pursuant to Section 51(A) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970, and Sections 19-20, 14 of the Rules of Liability for an Offense Order (Judea and Samaria) (No. 225), 5728-1968.

Details of the offense: The above mentioned Defendant, in the Area, on several occasions, attempted with others to cause the intentional death of others, as follows:

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1. In early 2001 or thereabouts, the Defendant departed with his fellow cell members, Basel Albizra, Mahdi Abu Gazala, Saed Jawabra, Kamal Yusef Shihab, armed with M-16 type rifles, and the Defendant carried a Kalashnikov type rifle, and together they fired at a military jeep that was near Tzara Junction. The Defendant fired approximately 16 rounds at the military jeep, and his colleagues fired the rifles that they were carrying.

After the gunfire, the Defendant and his fellow cell members fled to the Beit Alma Camp.

[Stamp] P 5: 230 [continued]

2. After a few days, from that which has been stated above, the Defendant departed, **on several occasions**, along with his fellow cell members, towards a military point located near Har Grizim Junction, armed with rifles, and the Defendant was armed with an M-16 type rifle. The Defendant fired at the military point along with his colleagues.
3. After early 2002, the Defendant, who was armed with a Kalashnikov type rifle, fired with Mohamed Alqassam, Kamal Shahib and Mueid Jamil at a military point located between Tel and Burin.

Twentieth count:

Nature of the offense: Attempt to cause intentional death, an offense pursuant to Section 51(A) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970, and Sections 19-20, 14 of the Rules of Liability for an Offense Order (Judea and Samaria) (No. 225), 5728-1968.

Details of the offense: The above mentioned Defendant, in the Area, on several occasions, attempted with others to cause the intentional death of others, as follows:

1. In early 2001 or thereabouts, the Defendant, armed with a Kalashnikov type rifle, with Saed Jawabra and Kamal Yusef Shihab, who were armed with M-16 type rifles, laid two explosive devices, then connected a battery and 300 meter long wires to them. On that day, in the evening, a military jeep passed on the road leading to the settlement Bracha, and the above mentioned Kamal detonated the two charges, as a result of which the two explosive devices exploded.

Thereafter, the Defendant and his colleagues fled to Nablus.

2. About a week later, the Defendant and his fellow cell members, who were armed with firearms, laid an explosive device weighing 50 kg, at Iba Junction. The Defendant and his colleagues concealed the explosive devices in weeds. The Defendant and his colleagues connected 200 meter long wires to the explosive device.

When a military jeep and a tank passed by the site, Kamal detonated the explosive device, after the tank stopped.

3. During October 2001 or thereabouts, the Defendant, with his fellow cell members, Ahmed Sawalma, Kamal Alhatib, Mohamed Qassam, Iad Hamdan, laid two explosive devices on the bypass road overlooking the "Ein Almaa" area in Zawata.

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When they noticed a military jeep and a tank passing by, the Defendant and his colleagues detonated the explosive devices.

4. During October 2001 or thereabouts, the Defendant and his fellow cell members laid an explosive on the bypass road leading to Asira Alashmalia. When IDF soldiers noticed the explosive device, they shot at them, and 20 minutes later, the Defendant activated the explosive device, which exploded as a result.

[Stamp] P 5: 231 [continued]

After the detonation of the explosive device, the Defendant and his fellow squad members fled to the Balata Camp.

Twenty first count:

Nature of the offense: Conspiring to cause intentional death, an offense pursuant to Section 22 of the Rules of Liability for an Offense Order (Judea and Samaria) (No. 225), 5728-1968 and Section 51(A) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970.

Details of the offense: The above mentioned Defendant, in the Area, on several occasions, conspired with others to cause the intentional death of another person, as follows:

1. During the period after March 2002 or thereabouts, the Defendant asked Ali Zahir Asad Alhalu (hereinafter – **Ali**) to send to Mohamed Burhan Abdu Abdullah (hereinafter – **Mohamed Burhan**) and Murad Sami Ahmed Ghanem (hereafter – **Murad**) and asked them to find a person who was prepared to carry out a suicide attack in the Israeli settlement Kedumim. Ali approached Mohamed Burhan and Murad and informed them of the plan of the Defendant, they agreed to his request and said that they would try to find a person who was prepared to carry out the attack.

Mohamed Burhan carried out surveillance of the above mentioned settlement and informed the Defendant that there were no weak points in the above mentioned settlement, and it would be possible to bring in a suicide terrorist to a point only 100 meters away from the settlement.

The Defendant told Mohamed Burhan that this distance was unsuitable and as a result the attack did not go ahead.

2. In 2002 or thereabouts, the above mentioned Defendant, planned with Mahmoud A-Titi to carry out an attack in the Hawara Camp. Mahmoud A-Titi told the Defendant that there were two people: A. Ibrahim Abu Zour; B. Mohamed Titi, who were prepared to carry out the suicide attack.

The planning was for one of the attackers to drive a white jeep that looked like a Red Cross vehicle, and for this vehicle to be used as a car bomb. Then the attacker driving the jeep would reach the Hawara checkpoint, he would detonate the vehicle at the checkpoint.

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After the detonation of the vehicle, two cells of terrorists armed with Kalashnikov rifles and hand grenades would penetrate the camp from two different points: 1. from the direction of Awarta; 2. from the direction of Rujeib.

The 'm and Abu Ramush conducted surveillance of the sector of the camp. However, this attack was not executed.

[Signature]

**Naji Amar, Lieutenant
Military Prosecutor**

[Stamp] P 5: 232 [continued]

List of witnesses for the prosecution:

Detailed Incident 4968/02:

1. 911305 First Sergeant Jamil Shakour (taker of the confession of the Defendant dated June 5, 2002).
2. 927384 First Sergeant Jamil Hadad (taker of the confession of the Defendant on June 10, 2002 and June 11, 2002).
3. 100049 Master Sergeant Ataf Awida (taker of the confession of the Defendant on July 9, 2002 and July 11, 2002).
4. 928308 First Sergeant Hadi Halabi (taker of the confession of the Defendant dated August 20, 2002).
5. 93972 Master Sergeant Fuad Maadi (performer of identity parade for witnesses: Murad Ghanem, Ali Alhalu and Abdullah Mohamed).
6. 905631719 Murad Sami Ahmed Ghanem (detained in Prosecution Case 773/02). *Megiddo*
7. 911758365 Ali Zahir Asad Alhalu (detained in Prosecution Case 775/02). *Megiddo*
8. 907129670 Mohamed Burhan Abdu Abdullah (detained in Prosecution Case 774/02). *Megiddo*
9. 907569024 Wadah Ali Amin Bazra (detained in Prosecution Case 906/02). *Sharon*
10. 979469954 Mohamed Sami Ibrahim Abdullah (detained). *Hadarim*
11. 902845643 Mohamed Abed Rahman Salam Maslah (detained).
12. 994466860 Ahmed Taleb Barghouti (detained, Prosecution Case 444/02 Beit-El).
13. 81099095 Murad Nazmi-Razek Ajlouni (detained).
14. 907898134 Mazen Mahmoud Omar Alkadi. (detained).
15. 900358664 Nasser Mahmoud Aweis (detailed).

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16. Remand hearing transcripts dated: June 17, 2002, July 10, 2002 and August 12, 2002.

Detailed Incident 502/02 Zion

17. 942276 Chief Inspector Dror Asraf (submitter of memorandum, seizure and marking report).

18. Sergeant Major Yigal Daniel (submitter of seizure and marking report).

19. Cadet Zvika Reisner([submitter of memorandum, seizure and marking report + photographs).

20. 1043413 Sergeant First Class Zion Tabadi (submitter of action report – finding of magazine coupler).

21. 47720 Sergeant Major Asher Levi (submitter of seizure and marking report).

22. 303647598 Benny Azriel, (eyewitness – pursued the terrorist)

23. 739037 Amad Anidat (eyewitness)

24. 1042043 Shai Cohen (eyewitness).

25. 33121070 Noam Gabai (eyewitness)

26. 1049188 Chanan Benaim (eyewitness – pursued the terrorist)

27. 309130540 Genadi (Guy) Melik, (eyewitness)

28. 761775 Alon Halfon (eyewitness)

29. 996140 Avi Ben-Ami (eyewitness)

30. 33401019 Chaim Salah (eyewitness)

31. 309086171 Boris Abtisian (eyewitness)

32. 310101647 Yekutiël-Israel Alouche (eyewitness)

33. 6246911 Moshe Maman (eyewitness)

34. 51270353 Tova Yitzhaki (eyewitness)

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- 35. 4330150 Mazal Yitzhaki (eyewitness)
- 36. 640712770 Yaron Avrahami (eyewitness)
- 37. 55611230 Pinchas Bentura (eyewitness)
- 38. 39381249 Kfir Kedem (eyewitness)
- 39. 307750984 Yaakov Sandlar, (identification of the body of the late Ora (Svetlana) Sandlar).
- 40. Dafna Wilner, M.D., License No. 29234, Hadassah Ein Kerem Hospital, Jerusalem.
(submitter of death notice of the late Ora (Svetlana) Sandlar).
- 41. Elena Vaslov, M.D., Hadassah Ein Kerem Hospital, Jerusalem. (submitter of death notice of
the late Sarah Hamburger).

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- 42. 55594097 Avshalom Friedman.
- 43. Efi Yamin, Yarkon Identification, Israel Police.
- 44. Chief Inspector Mirod Daniel, Yarkon Investigations Branch Officer.
- 45. Shimon Rachamim, Yarkon Special Investigations Team.
- 46. 25714502 Yaakov Abed (eyewitness)
- 47. 321940751 Igor Kotbitzky (eyewitness).
- 48. 304615230 Adi Moriz, (security guard at the restaurant)
- 49. 49170392 Yoni Chayal (eyewitness)
- 50. 27293034 Irit Rachamim (eyewitness)
- 51. 25377029 Limor Forma (eyewitness)
- 52. 22280 Shlomo David (injured in the attack)
- 53. 9802115980 Sharon Yifrach (eyewitness)

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- 54. 029022902 Yiftach Kariti (eyewitness)
- 55. 28804599 Eliyahu Tzedaka(eyewitness)
- 56. 309998540 Ivana Richtman (injured in the attack)
- 57. 54188644 Yaakov Horovitz (eyewitness)
- 58. 24315632 Ravit Avishag-Yosefi, (eyewitness)
- 59. 69828374 William Hazan (eyewitness)
- 60. 61247623 Ala Mahmoud (eyewitness)
- 61. 35704568 Bassam Abu Laham (eyewitness)
- 62. 49824865 Baha Abu Laham (eyewitness)
- 63. 61247623 Al Mahamid (eyewitness)
- 64. 33876954 Yomi Kontanta (eyewitness)
- 65. 56230584 Avinoam Yosef (eyewitness)
- 66. 311660328 Igor Postinensky (eyewitness)
- 67. 2234597 Daniel Kradi (eyewitness)
- 68. 5452229 Meir Habi (identification of the body of the late Yosef Habi)
- 69. 31877665 Noam Asafi (injured in the attack)
- 70. 29416740 Yossi Azuz (injured in the attack)

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- 71. 43401140 Michael Gruber, Identity No. (injured in the attack).
- 72. Prof. Yehuda Hiss, the National Institution of Forensic Medicine, Tel Aviv.
- 73. Hospital records – institutional record.

Detailed Incident 4685/02 Petach Tikva Station

- 74. 58634114 Nava Seri (details in the prosecution).
- 75. 59760520 Yigal Cohen (details in the prosecution).
- 76. 23880032 Avi Porat (details in the prosecution).
- 77. 58330671 Pollack Mandy (details in the prosecution).
- 78. 52079019 Levi David (details in the prosecution).
- 79. 945931 Shoshani Arnon (bomb disposal laboratory – exhibit cover form)
- 80. Laboratory expert opinion (will be forwarded later).
- 81. Prof. Y. Hiss, the Institution of Forensic Medicine (expert opinion – unidentified body).
- 82. Prof. Y. Hiss, the Institution of Forensic Medicine (expert opinion – the late Ruth Peled).
- 83. Prof. Y. Hiss, the Institution of Forensic Medicine (expert opinion – the late Sinai Keinan).
- 84. 1024769 Sergeant First Class Reznik Evgeny (action report).
- 85. 7122948 Corporal Yesha Hati (action report).
- 86. 310905773 Pasiev Yuri (memorandum – severely injured).
- 87. 1082544 Corporal Kfir Hadasi (action report).
- 88. 57795221 Yigal Shachar (details in prosecution).
- 89. 27826866 Habibi Hanna (details in prosecution).
- 90. 43259043 Violet Maslosh (details in prosecution).

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- 91. 41862426 Yael Avraham (details in prosecution).
- 92. Betzalel Maslosh (details in prosecution).
- 93. 28932382 Menachem Maslosh (details in prosecution).
- 94. 53392171 Skolnik Natanel (details in prosecution).
- 95. 5922307 Vered Barel (details in prosecution).
- 96. 39170196 Baadani Niv (details in prosecution).
- 97. Oshri Mizrachi (details in prosecution).
- 98. 22313597 Iva Rachamim (details in prosecution).
- 99. 28984615 Boaz Lavi (details in prosecution).
- 100. 38717227 Yaron Magen (details in prosecution).
- 101. 52079019 David Levi (details in prosecution).
- 102. 58330671 Mandy Pollack (details in prosecution).
- 103. 59753822 Shuli Ran Moshe (details in prosecution).
- 104. 27406081 Lior Keinan (details in prosecution).
- 105. 23730691 Orly Hacham (details in prosecution).
- 106. 904631 First Sergeant Shlomi Kurzbert (scene visit report – seizure of exhibits + composer of photograph report).

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